

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	PAN <i>et al.</i>	Examiner:	Nguyen, S.
Serial No.:	09/783,701	Group Art Unit:	2616
Filed:	February 14, 2001	Docket No.:	STFD.009PA (S00-037)
Allowed:	September 7, 2007	Confirmation No.:	6340
Title:	ACTIVE QUEUE MANAGEMENT TOWARD FAIR BANDWIDTH ALLOCATION		

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE
c/o Technology Center 2600
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. 40581

Dear Sir:

The Examiner's statement for allowance could be construed to imply that the claimed invention was allowed because the references of record did not disclose certain aspects of the invention related to management of packet-type data communication. The characterized aspects, however, if indeed found in the prior art, would not render the claimed invention invalid under §102 because the claimed invention includes a number of other limitations. With respect to §103, the rigors of establishing a prima facie case of obviousness include not only showing that the prior art teaches the entire claimed invention (all limitations are to be considered), but also that combining the various prior art references is suggested in the art or that there would be motivation to make the combination. The Reasons provided do not appear to be necessarily inconsistent herewith.

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Unless Applicant hears otherwise, Applicant's comments herein are, as intended,
clarifying in a manner consistent with the law.

Respectfully submitted,

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